

AN ORDINANCE **98243**

AUTHORIZING THE EXECUTION OF FOURTEEN (14) PROFESSIONAL ARTISTIC CONTRACTS IN AN AGGREGATE AMOUNT NOT TO EXCEED \$178,500.00 FOR PERFORMANCES RELATED TO THE CARVER COMMUNITY CULTURAL CENTER'S 2003-2004 SEASON OF EVENTS; AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES AGREEMENTS FOR RELATED TECHNICAL SERVICES, AND THEATER RENTAL AGREEMENTS; AUTHORIZING THE NEGOTIATION AND EXECUTION OF AGREEMENTS WITH COMPARABLE CONTRACTORS IN THE EVENT OF NON-PERFORMANCE OF SERVICES BY AN INTENDED CONTRACTOR; AUTHORIZING THE EXECUTION OF LETTERS OF INTENT TO RESERVE, SUBJECT TO CITY COUNCIL APPROVAL, PERFORMANCES FOR THE 2004-2005 SEASON; AUTHORIZING THE TRANSFER OF REVENUE FUND ACCOUNTS FROM THE HOTEL/MOTEL TAX FUND AND THE CARVER COMMUNITY CULTURAL CENTER TRUST FUND TO THE CARVER ORGANIZATIONAL SUPPORT PROJECT, IN THE AGGREGATE AMOUNT OF \$194,839.00; ESTABLISHING THE BUDGET AND AUTHORIZING A PERSONNEL COMPLEMENT.

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WHEREAS, the Carver Community Cultural Center sponsors an annual season of visual and performing arts events; and

WHEREAS, the Executive Director of the Carver Community Cultural Center has recommended program performances and artists for the season based on facility requirements, and the Carver Center's program philosophy and history; and

WHEREAS, in order to ensure program performance, the City of San Antonio must contract in advance for said services with various artists, consultants and performers due to the industry code of ethics on touring and booking artists; and

WHEREAS, the City also needs to execute letters of intent to reserve subject to City Council approval, performances through calendar year 2005; and

WHEREAS, it is now necessary to 1) authorize artist contracts, related professional services and theatre rental agreements, 2) authorize the negotiation and execution of contracts with comparable artists in the event of non-performance, 3) authorize the execution of letters of intent for 2004-2005 performances and 4) authorize the transfer of funds to the Carver Organizational Support Project;
NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or her designee, is authorized to execute fourteen professional artist contracts with the below described artists or artist management entities for the respective

amounts indicated below for performances related to the Carver Community Center 2003-2004 season of events. A copy of the contract to be used for the artists and artist management entities, in substantially final form, is attached hereto and incorporated herein for all purposes as Attachment I. Revisions to these contracts may be made with the prior approval of the City Attorney.

FUND	ENTITY NAME	EVENT DATE	CONTRACT AMOUNT
11	Jazz at Lincoln Center, Inc.	10/04/03	\$ 40,000.00
11	Brian Brooks (dba Brian Brooks Moving Company)	10/16-18/03	\$ 8,000.00
11	The Count Basie Orchestra (Producers, Inc. f/c/t Count Basie Orchestra)	11/01/03	\$ 20,000.00
11	The Blind Boys of Alabama (The Rosebud Agency)	12/06/03	\$ 16,000.00
11	Sweet Honey in the Rock, Inc. (ICM Artist, Ltd.)	01/25/04	\$ 20,000.00
11	Columbia Artists Management, Inc. - MOMIX	3/23-24/04	\$ 24,000.00
11	Dayton Contemporary Dance Company	04/30/04	\$ 6,500.00
62	Dayton Contemporary Dance Company	05/01/04	\$ 19,500.00
11	Jim Cullum	05/09/04	\$ 5,000.00
11	Preservation Hall, LLC (International Music Network)	05/09/04	\$ 5,000.00
62	Preservation Hall, LLC (International Music Network)	05/09/04	\$ 5,000.00
	Carver Season Main Stage	Subtotal	\$169,000.00
11	San Antonio Vocal Arts Ensemble	11/7-8/03	\$ 2,500.00
11	Ruthie Foster w/ Cyd Cassone (Nancy Fly Agency)	02/13/04	\$ 2,500.00
11	Bett Butler	03/12/04	\$ 500.00
62	Bett Butler	03/12/04	\$ 500.00
62	Chayito Champion	03/12/04	\$ 1,000.00
62	Robert Medina (dba Elision Saxophone Quartet)	04/16/04	\$ 2,500.00
	Little Carver Intimate Series	Subtotal	\$ 9,500.00
		Contract Total	\$178,500.00
	Contracts Total - 11/38-13-04		\$150,000.00
	Contracts Total - 62-014002 (Carver Trust)		\$ 28,500.00
	TOTAL		\$178,500.00

SECTION 2. Contracts negotiated for the aforementioned General Fund and Carver Trust Fund Account are hereby approved and the contract amounts are authorized in the Expenditure Account Index Numbers set out therein.

SECTION 3. Fees for artistic and or commissioning consultant services may be less than but will not exceed specified amounts listed above.

SECTION 4. Funds in the amount of \$150,000.00 will be encumbered in Fund 11-000000 (General Fund), Activity Number 38-13-04, Index Number 339580 entitled “Fees to Professional Contractors” and made payable to the contractors listed in Section 1, in accordance with the Carver Community Cultural Center’s 2003/2004 Budget.

SECTION 5. Funds in the amount of \$28,500.00 will be encumbered in Fund 62-014007 (Carver Community Cultural Center Trust), Activity Number 38-13-04, Index Code 302448 entitled “Fees to Professional Contractors” and made payable to the contractors listed in Section 1, in accordance with the Carver Community Cultural Center Trust Fund.

SECTION 6. The City Manager, or her designee, is authorized to negotiate and execute contracts with comparable artists or substitute contractors within the parameter of costs set forth in this ordinance and in accordance with the various grant requirements for the projects set out in section 1 of this ordinance, if the services received cannot be accomplished by any of the artists or contractors set forth in this ordinance.

SECTION 7. The Director of Community Initiatives, or his designee, is authorized to execute Letters of Intent that will tentatively hold reservation performance dates through calendar year 2005 in advance for services with various artists, consultants and performers in order to ensure its programming mission to sponsor an annual season of visual and performing arts events, with confirmation of each such engagement subject to City Council approval. A copy of such letter is attached hereto and incorporated herein for all purposes as Attachment II. Any and all subsequent contracts will be presented to City Council for approval.

SECTION 8. The City Manager, or her designee, is authorized to negotiate and execute related technical production services, graphic designer, box office, security, website, equipment rental and theater license agreements at Lila Cockrell, Laurie Auditorium, St. Philip’s College Watson Fine Arts Center and Empire Theatre, as may be needed to produce artist performances listed in the 03-04 season.

SECTION 9. Transfers to the Organizational Support Project are hereby authorized to be made from the following fund accounts:

	<u>From</u> <u>Index Code</u>	<u>To</u> <u>Index Code</u>	<u>Amount</u>
Hotel/Motel			
Fund 29-005000	911594	105866	\$154,250.00
Carver Comm. Center Trust			
Fund 62-014007	911602	105932	<u>40,589.00</u>
Total			\$194,839.00

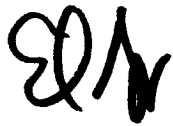
SECTION 10. Fund No. 26-012246 entitled “Organizational Support Project 2003/2004” is hereby designated for use in accounting for the above grant. Revenue funds shall be appropriated in said fund as set out in the detailed budget affixed hereto and incorporated for all purposes as Attachment III.

SECTION 11. The personnel complement contained in Attachment IV, attached hereto and incorporated herein for all purposes, is hereby authorized and approved for use in connection with the Organizational Support Project.

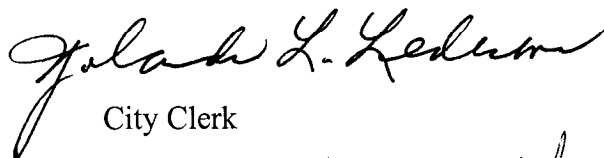
SECTION 12. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 13. This ordinance shall be effective on and after the tenth (10th) day after passage hereof.


PASSED AND APPROVED this 25th day of September, 2003.


M A Y O R
EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney